

Misbranding of the article was alleged in the libel for the reason that the statements "1 pound net," and "¼ pound net weight," appearing on the pound and quarter pound cartons, respectively, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantities stated on the packages, respectively, were not correct.

On April 6, 1927, the James McPhillips Grocery Co., Mobile, Ala., having appeared as claimant for the property, and having admitted the allegations of the libel, judgment was entered ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$1,000, conditioned in part that it be reconditioned, repacked, and relabeled, under the supervision of this department, and it was further ordered by the court that upon the reconditioning of the product and the approval of this department the cause be dismissed at the cost of the claimant.

W. M. JARDINE, *Secretary of Agriculture.*

15465. Adulteration of shredded figs. U. S. v. 35 Bags of Shredded Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22067. I. S. No. 17287-x. S. No. 107.)

On September 23, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 bags of shredded figs, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Sunland Sales Cooperative Assoc., from Fresno, Calif., August 16, 1927, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Shredded Figs Calimyrna, California Peach & Fig Growers Association, Main Office, Fresno, California."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On December 23, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15466. Adulteration of muffin figs. U. S. v. 350 Boxes of Muffin Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22282. I. S. No. 17671-x. S. No. 331.)

On December 19, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 350 boxes of muffin figs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sunland Sales Cooperative Assoc., Fresno, Calif., alleging that the article had been shipped from Fresno, Calif., on or about December 1, 1927, and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Blue Ribbon Brand Muffin Figs, Produced and Packed by California Peach & Fig Growers Association."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, an analysis of a sample showing the product to be insect-infested.

On January 9, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15467. Adulteration of figs. U. S. v. 55 Boxes of Muffin Figs, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22026, 22075, 22077. I. S. Nos. 12709-x, 12710-x, 13111-x, 13112-x, 13189-x. S. Nos. 67, 118, 124.)

On August 24, September 30, and October 13, 1927, respectively, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 55 boxes of muffin

figs, 28 cases of dried white figs, and 51 boxes of dried black figs, remaining in the original unbroken packages at Denver, Trinidad, and Grand Junction, Colo., respectively, consigned by the Sunland Sales Cooperative Assoc., Fresno, Calif., alleging that the article had been shipped from Fresno, Calif., in various consignments, between the dates of March 21 and September 7, 1927, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part, variously: "Blue Ribbon Brand Muffin Figs Produced and Packed by California Peach & Fig Growers Association," "Lily Brand California Choice White Figs. Rosenberg Bros. & Co., California," "Blue Ribbon Brand Choice Mission Figs Produced and Packed by California Peach & Fig Growers, Main Office, Fresno, Calif."

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 26 and 27, 1927, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15468. Misbranding of butter. U. S. v. 5 Cases and 10 Cases of Butter. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22119, 22136. I. S. Nos. 19176-x, 19178-x. S. Nos. 152, 166.)

On or about October 1 and 6, 1927, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 15 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the H. C. Christians Co., from Chicago, Ill., in part on or about September 26, 1927, and in part on or about October 4, 1927, and transported from the State of Illinois into the State of Louisiana, and charging misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Carton) "Ayrshire Brand * * * Creamery Butter Sold by H. C. Christians Co., Johnson Creek, Wis. * * * Contents 1 Pound Net."

It was alleged in the libels that the article was short in weight and misbranded, in that the statement "1 Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 4 and October 7, 1927, respectively, the H. C. Christians Co., Johnson Creek, Wis., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$225, conditioned in part that it be reworked and reconditioned to comply with the law.

W. M. JARDINE, *Secretary of Agriculture.*

15469. Adulteration of canned peas. U. S. v. 17 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22192. I. S. Nos. 20060-x, 20061-x. S. No. 250.)

On November 19, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases of canned peas, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Egypt Canning Co., Penn Yan, N. Y., alleging that the article had been shipped from Penn Yan, N. Y., on or about August 25, 1927, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On December 12, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*